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8 IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON
9 AT SPOKANE

10 UNITED FOOD AND COMMERCIAL
WORKERS UNION, LOCAL 3000, a
non-profit corporation, UNITED FOOD
11 AND COMMERCIAL WORKERS
UNION, LOCAL 1439, a non-profit
12 corporation, UNITED FOOD AND
COMMERCIAL WORKERS UNION,
13 LOCAL 21, a non-profit corporation,
AND FAYE IRENE GUENTHER,
14 an individual,

15 Plaintiffs,

16 v.

17 JOSEPH H. EMMONS, individually,
AND OSPREY FIELD CONSULTING
18 LLC, a limited liability company,

19 Defendants.

No. 2:22-cv-00272-TOR

**[PROPOSED] ORDER
GRANTING
DEFENDANTS' RULE
12(b)(6) MOTION TO
DISMISS COMPLAINT**

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23 [PROPOSED] ORDER GRANTING DEFS.'
MOTION TO DISMISS
Case No. 2:22-cv-00272-TOR

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1 THIS MATTER is before the Court on Defendants' Rule 12(b)(6) Motion to
2 Dismiss Complaint ("Motion"). The Court has considered the Motion, Plaintiffs'
3 Response, and Defendants' Reply, as well as the papers and pleadings on file in this
4 matter. The Court finds that Plaintiffs United Food and Commercial Workers Union
5 Local 3000, United Food and Commercial Workers Union Local 1439, United Food
6 and Commercial Workers Union Local 21, and Faye Irene Guenther have failed to
7 state a claim upon which relief can be granted. The Court GRANTS the Motion,
8 and the Complaint is DISMISSED with prejudice.
9

10 IT IS SO ORDERED.

11 DATED this _____ day of _____, 2023.
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15 _____
16 THOMAS O. RICE
17 United States District Judge
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1 *Presented by:*

2 Davis Wright Tremaine LLP
3 Attorneys for Defendants

4 By: s/ Ambika Kumar

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CERTIFICATE OF SERVICE

I hereby certify that on February 13, 2023, I caused the document to which this certificate is attached to be electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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Attorneys for Plaintiffs

I declare under penalty of perjury that the foregoing is true and accurate.

DATED this 13th day of February, 2023.

By: s/ Ambika Kumar

Ambika Kumar, WSBA #38237